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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,200	08/27/2001	Shell S. Simpson	10008257-1	4913

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[REDACTED] EXAMINER

SALL, EL HADJI MALICK

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2157

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/940,200	SIMPSON ET AL.	
	Examiner	Art Unit	
	El Hadji M Sall	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 August 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) _____ is/are rejected.
 7) Claim(s) 1-21 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/02/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

1. DETAILED ACTION

This action is responsive to the application filed on August 27, 2001. Claims 1-21 are pending. Claims 1-21 represent system for automatically recognizing devices connected in a distributed processing environment.

2. *Claim Rejections - 35 USC § 112*

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "devices couple to the network" in line 8. There is insufficient antecedent basis for this limitation in the claim. Examiner is not sure whether "devices coupled to the network" on line 6 is the same as the limitation mentioned above. For purpose of prior art rejection in this office action, examiner presumes "said devices coupled to the network" on line 8.

3. *Claim Rejections - 35 USC § 102*

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hemphill et al. U.S. 6,490,617.

Hemphill teaches the invention as claimed including active self discovery of devices that participate in a network.

As to claim 1, Hemphill teaches system for recognizing devices connected in a distributed processing environment, comprising:

a client computer coupled to a network and including a browser (figure 1, item 106);

a server computer coupled to the network (figure 1, item 102)

a database coupled to the network and containing information that identifies devices coupled to the network (abstract, Hemphill discloses the management server includes a management database that is used to store management information and corresponding network addresses for each of the managed devices)

where the client computer browses to a predefined web page and discovers from the database the presence of devices coupled to the network (column 4, lines 41-43, Hemphill discloses the client system 106 supports TCP/IP and includes a web browser for accessing and displaying management information from the management server 102 or any of the HMMDs; column 5, lines 33-36, Hemphill discloses the database 128 preferably includes events, discovered devices, device status, user preferences and user-specified data that is actively monitored).

As to claim 2, Hemphill teaches the system of claim 1, wherein a device coupled to the network includes a web service (figure 1, item 126).

As to claim 3, Hemphill teaches the system of claim 1, wherein a device coupled to the network is represented by a web service (figure 1; column 4, lines 10-13, Hemphill discloses the management network 100 may be any type of network topology such as a separate intranet, part of the internet itself, an intranet with access via a gateway or firewall to the internet, etc...).

As to claim 4, Hemphill teaches the system of claim 1, wherein the client computer receives a uniform resource locator (URL) corresponding to each device coupled to the network (columns 5-6, lines 64-67 and lines 1-12, Hemphill discloses the client system 106 includes a web browser for accessing and displaying management information from the management server 102 and any of the HMMDs 110. For example, the client system 106 sends an HTTP request in URL format to an HMMD 110, which is received by the MECL 108 of that HMMD... The client system 106 accesses the home page 130 or data from the database 128 in a similar manner using TCP/IP and another URL).

As to claim 5, Hemphill teaches the system of claim 2, wherein the client computer may access directly a device that contains a web service (figure 1; column 5, lines 64-66, Hemphill discloses the client system 106 includes a web browser for accessing and displaying management information from the management server 102)

As to claim 6, Hemphill teaches the system of claim 3, wherein the client computer may access indirectly a device that is represented by a web service (figure 1;

column 6, lines 12-16, Hemphill discloses the legacy devices 112 are managed and controlled by the management server 102 as usual according to the particular protocol supporter (SNMP, DMI), so that the client system 106 might not necessarily have direct access).

As to claim 7, Hemphill teaches a system of claim 1, wherein URL identifying each device coupled to the network is maintained in the database and provided to the client computer (abstract, Hemphill discloses The management server includes a management database that is used to store management information and corresponding network addresses for each of the managed devices; columns 5-6, lines 67 and 1-2, Hemphill discloses the client system 106 sends an HTTP request in URL format to an HMMD 110, which is received by the MECL 108 of that HMMD).

Claims 8-21 do not teach or define any new limitations above claims 1-7, and therefore are rejected for similar reasons.

4. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157

CD



MOUSTAFA M. MEKY
PRIMARY EXAMINER